

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Ross, et al.

Serial Number: 09/545,316

Filed: April 7, 2000

For: SYSTEM AND METHOD FOR  
FACILITATING THE PRE-  
PUBLICATION PEER REVIEW  
PROCESS

Group Art Unit: 2756

Examiner: Unknown



TC 2100 MAILROOM

MAR 16 2001

RECEIVED

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is a Petition to Make Special Under 37 C.F.R. § 1.102(d) in connection with the above-referenced application. Also enclosed is the petition fee of \$130.00 as required by 37 C.F.R. § 1.17(i).

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 12-2475.

Respectfully submitted,

Lyon & Lyon LLP

Dated: March 7, 2001

By: Patric J. Rawlins  
Patric J. Rawlins  
Reg. No. P47,887

633 West Fifth Street, Suite 4700  
Los Angeles, CA 90071-2066  
Tel: (858) 552-8400

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

March 7, 2001  
Date of Deposit

Linda Johnson  
Linda Johnson

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PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(d)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants hereby petition to make the above identified application special due to *actual infringement* of one or more claims pursuant to M.P.E.P. § 7802.02.

Applicants' assignee has become aware that ScholarOne, Inc. is currently practicing the invention within the United States through their website at <http://www.scholarone.com>. Furthermore, PaperPath, Inc. is currently offering for sale and selling PaperPath 2000 Software within the United States. The PaperPath 2000 software is currently being offered for sale through the PaperPath website at <http://www.paperpath.com>. Finally, eJournalPress.com is currently practicing the invention with their EJPress IAS service through their website at <http://www.ejournalpress.com>. Additionally, eJournalPress.com is currently offering to license the invention with their EJPress Onsite software, which is also available through their website.

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CERTIFICATE OF MAILING

(37 C.F.R. § 1.8a)

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March 7, 2001  
Date of Deposit

Linda Johnson

Name of Person Mailing Paper

A handwritten signature in cursive script that reads "Linda Johnson".

Signature of Person Mailing Paper

I have made a rigid comparison of the above described products and services against the pending claims of the present application. In my opinion, some of the claims are unquestionably infringed. Furthermore, I have good knowledge of the pertinent prior art with respect to the above identified application.

The petition fee of \$130.00 as required by 37 C.F.R. § 1.17(i) is included herewith. No additional fees are believed due at this time. The Examiner is authorized to charge any additional fee or refund any overpayment to Deposit Account No. 12-2475.

Applicants earnestly request the granting of this petition to make special in order to expedite the prosecution of this application.

Respectfully submitted,  
Neoplasia Press, Inc.

Dated: February 22, 2001

By: Brian D. Ross  
Brian D. Ross, Ph.D  
Assignee